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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application Number | 10/664,263 |
| | | Filing Date | September 16, 2003 |
| | | First Named Inventor | Thomas L. CANTOR |
| | | Art Unit | 1641 |
| | | Examiner Name | D. J. Venci |
| Total Number of Pages in This Submission | 19 | Attorney Docket Number | 532212002000 |

| ENCLOSURES (Check all that apply) | | |
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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (18 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Return Receipt Postcard |
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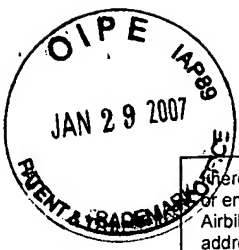
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| Firm Name | MORRISON & FOERSTER LLP | | |
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| Printed name | Leslie A. Robinson | | |
| Date | January 29, 2007 | Reg. No. | 54,403 |

I hereby certify that this paper is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 915685482 US, on the date shown below in an envelope addressed to:
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Dated: January 29, 2007

Signature:

Judy Bridgewater
(Judy Bridgewater)

Docket No.: 532212002000
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Thomas L. CANTOR

Application No.: 10/664,263

Filed: September 16, 2003

For: METHODS AND KITS FOR MONITORING
RESISTANCE TO THERAPEUTIC AGENTS

Confirmation No.: 3408

Art Unit: 1641

Examiner: D. J. Venci

AMENDMENT IN RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice of Non-Compliant Amendment dated December 28, 2006, for which a response is due on January 28, 2007. Accordingly, this response is timely filed.

Applicants affirm the election of Invention II (claims 27-40) and species 2(b) (claim 38), without traverse. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.